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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(Sacramento)**

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In re Y.W., a Person Coming Under the  
Juvenile Court Law.

C078317

THE PEOPLE,

(Super. Ct. No. JV135699)

Plaintiff and Respondent,

v.

Y.W.,

Defendant and Appellant.

This case comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *In re Kevin S.* (2003) 113 Cal.App.4th 97. Having reviewed the record as required by *Wende* and *Kevin S.*, we affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

Between August 1, 2013, and September 25, 2013, the minor, Y.W., committed seven sexual batteries against six different victims, Q.M., S.C., M.B., N.S., L.K., and K.F. The minor and all the victims were students at the same high school.

Q.M. and the minor had a class together in the year before the trial. One morning in August, Q.M. was walking and saw the minor walking towards her. As he passed, he hit her on the vagina with the palm side of his closed fist. Approximately two weeks later, the minor again hit her on her vagina with the palm side of his fist as they walked past each other. She did not report the incidents, but told her friend, S.C.

S.C. also had a class with the minor the year before the trial. One day at lunch, while S.C. was walking across the courtyard, the minor circled around her, extended his arm and touched her breast. She yelled “what the heck” and he ran away. He was carrying a black backpack at the time. When she reported the incident, she also told K.F. that it was the minor who assaulted her.

K.F. was a classmate of the minor’s in the year before trial and currently. In late September 2013, she was walking to a friend’s house and the minor walked past her, turned around, and walked past her again. He turned and came back toward her, extended his arm, and grabbed her breast. She reported the incident to a counselor at school and then to the vice principal.

L.K. knew the minor from the previous year when they had a class together. In September 2013, she was walking to the locker room and as the minor walked by in the opposite direction, he touched her breast with his hand. After her next class, L.K. went to the counselor’s office with a friend to report the incident.

M.B. was a freshman at the high school in September 2013. One morning, outside the girls’ locker room, a boy she did not know walked towards her. He reached under her

skirt and touched her clitoris area. She described the boy as Asian, taller than her, and carrying a black backpack. She went to the office with a friend to report the incident.

N.S. was a junior the year before trial. In September 2013, she was walking down a school hallway when a male student with a backpack walked past her. The classroom she was heading to was locked, so she turned back to go to a different classroom. She noticed the same boy walking towards her again. He walked past her, then came up behind her and grabbed her. He had a grip on her breasts for about five seconds, then let go of her and ran in the opposite direction. She described the student as Asian, in 11th or 12th grade, about five feet eight or nine inches tall, with thick hair and he was carrying a black and orange backpack. After trying to compose herself, she went to her next class, but was still upset, and a friend encouraged her to go to the office and report the incident, so they went together.

On September 25, 2013, Sacramento County Deputy Sheriff Brendan McAtee arrested the minor, *Mirandized*<sup>1</sup> him, and interviewed him.<sup>2</sup> In the interview, the minor admitted he had touched four girls at school, two in the vaginal area and two on their breast, pretending he was stretching as they walked by him. He said he did it because he was feeling “lusty.”

The district attorney’s office filed a Welfare and Institutions Code section 602, subdivision (a) petition, alleging the minor committed four sexual batteries pursuant to

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<sup>1</sup> *Miranda v. Arizona* (1966) 384 U.S. 436 [16 L.Ed.2d 694].

<sup>2</sup> The minor moved to motion to suppress his statements in this interview. The juvenile court viewed the videotaped interview and the minor testified at the hearing. The minor testified he understood his rights, did not feel compelled to answer the deputy’s questions, and felt he could stop answering the questions at any time. The juvenile court found the deputy properly advised the minor of his rights, the minor knowingly and intelligently waived them, and gave the statements voluntarily. Accordingly, the juvenile court denied the motion to suppress.

Penal Code section 243.4, subdivision (a) on four different victims—M.B., N.S., S.C. and L.K. After further investigation, the People filed an amended petition in May 2014, alleging four sexual batteries against the four victims pursuant to Penal Code section 243.4, subdivision (e)(1) (instead of subd. (a)). In July 2014, a third amended petition was filed adding two additional victims (K.F. and Q.M.) and three counts of sexual battery pursuant to Penal Code section 243.4, subdivision (e)(1).

Following a contested hearing in December 2014, the juvenile court sustained the allegations of the July 2014 petition. The juvenile court adjudged the minor a ward of the court and ordered him committed to the care and custody of his parents under supervision of the probation office. Among the terms and conditions of the minor's probation, the juvenile court ordered the minor to serve 48 hours in the Sacramento County Youth Detention Facility, ordered him to not have contact with any of the victims, and ordered him to stay at least 100 yards away from them, their homes, or places of work. The juvenile court also ordered the minor to pay a restitution fine of \$175.

The minor appealed. We appointed counsel to represent the minor on appeal. Counsel filed an opening brief setting forth the facts of the case and, pursuant to *Wende*, *supra*, 25 Cal.3d 436, requesting the court to review the record and determine whether there are any arguable issues on appeal. The minor was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from the minor. We have undertaken an examination of the entire record pursuant to *Wende*, and we find no arguable error that would result in a disposition more favorable to the minor.

## DISPOSITION

The judgment is affirmed.

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BUTZ, J.

We concur:

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RAYE, P. J.

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HULL, J.